

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

- - - - -X

TAIQUANA MUNGO,

Plaintiff(s),

- against -

UNITED STATES OF AMERICA, et ano,

Defendant(s).

- - - - -X

ORDER GOVERNING  
INITIAL CONFERENCE  
AND REQUIRING  
MANDATORY  
ELECTRONIC CASE  
FILING

CV 2005-4781  
(ILG) (MDG)

An initial conference will be held in the above-captioned case on **February 3, 2006 at 2:30 p.m.** before Marilyn Dolan Go, United States Magistrate Judge, in Courtroom No. 373 at the United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York. All counsel must be present. The parties should first check-in with Chambers in Room 357. **Counsel for plaintiff is responsible for confirming that all necessary participants are aware of this conference** and should advise the Court in writing at least three days before the conference to report on the status of service of any sued party that has not appeared.

**PRIOR TO THE CONFERENCE, THE PARTIES MUST COMPLY WITH THE REQUIREMENTS OF RULE 26(f) OF THE FED.R.CIV.P.** At least five days before the conference, the parties must discuss: (1) the matters specified in Fed.R.Civ.P. 26(f) and 16(b); and (2) any anticipated electronic discovery, including the scope of such discovery, the preservation of electronically stored data, and the cost of locating, maintaining and producing that data. If the parties anticipate that expert testimony will be presented, counsel should discuss and attempt to reach an agreement on how material exchanged

between counsel and any expert witness will be treated, including (a) the preservation of draft expert reports and written and electronic communications between expert witnesses and counsel and (b) what material will be exchanged between the parties. Counsel must complete the attached questionnaire to bring to the conference. No written report or discovery plan required by Rule 26(f) should be filed with the Court.

Prior to the conference, the parties must comply with the automatic disclosure requirements in Rule 26(a)(1) of the Federal Rules of Civil Procedure. If plaintiff seeks damages for personal injuries, plaintiff must provide signed authorizations for release of all pertinent records from medical service providers.

At the initial conference, counsel must be fully prepared to discuss any issue regarding this case, including personal and subject matter jurisdiction, venue, potential discovery disputes, insurance coverage and settlement.

All cases have been assigned to this Court's Electronic Case Filing (ECF) Program. Counsel of record must register for ECF and all future submissions must be filed electronically. See our website at <http://www.nyed.uscourts.gov> for registration forms and other information, including training. Only counsel of record who are registered for ECF in this district will receive notices that a document has been filed via ECF. Any attorney for a party who is not counsel of record wishing to receive ECF notices should promptly register for ECF and file a notice of appearance. Any request for exemption from participation via ECF must be filed with the Court within two weeks. The application must state the

specific technological or other reason why counsel is not able to participate.

If this case is referred to Court-Annexed Arbitration, the parties may request in writing either to cancel the initial conference or to attend by telephone, provided they make the arrangements for a conference call.

No request for adjournment will be considered unless made at least seventy-two (72) hours before the scheduled conference and only after the parties have consulted with each other.

**SO ORDERED.**

Dated: Brooklyn, New York  
January 9, 2006

s/  
MARILYN D. GO  
UNITED STATES MAGISTRATE JUDGE  
(718) 260-2550

The parties must observe the following:

- \* Courtesy copies of submissions filed electronically need not be provided to Magistrate Judge Go unless the submission is over twenty pages or contains more than two exhibits. If no hard copy is provided, the cover letter for the electronically filed document should clearly note that no hard copy is being sent to Judge Go.

- \* No courtesy copies of dispositive motions returnable before the assigned District Judge need to be sent to Judge Go.

- \* Any party who does not file a submission or motion electronically must set forth the reason for failing to comply with ECF. Courtesy copies of any application or motion to which opposing papers are anticipated should be mailed and not faxed.

- \* Any faxed submissions need not also be mailed in hard copy.

### INITIAL CONFERENCE QUESTIONNAIRE

1. Date for completion of Rule 26(a) automatic disclosures: \_\_\_\_\_
2. Total number of interrogatories by: plaintiff(s) \_\_\_\_\_ and defendant(s) \_\_\_\_\_
3. Maximum number of requests for admissions: \_\_\_\_\_
4. Number of depositions by plaintiff(s) of: parties \_\_\_\_\_ non-parties \_\_\_\_\_
5. Number of depositions by defendant(s) of: parties \_\_\_\_\_ non-parties \_\_\_\_\_
6. Number of depositions exceeding 7 hours: parties \_\_\_\_\_ non-parties \_\_\_\_\_
7. Date for completion of factual discovery: \_\_\_\_\_
8. Number of expert witnesses of plaintiff(s): \_\_\_\_\_ medical \_\_\_\_\_ other (type)  
Date for expert report(s): \_\_\_\_\_ medical \_\_\_\_\_ other
9. Number of expert witnesses of defendant(s): \_\_\_\_\_ medical \_\_\_\_\_ other(type)  
Date for expert report(s): \_\_\_\_\_ medical \_\_\_\_\_ other
10. Deadline for completing expert discovery: \_\_\_\_\_
11. Deadline for seeking leave to amend pleadings: \_\_\_\_\_
12. Number of proposed additional parties to be joined by plaintiff(s) \_\_\_\_\_ and defendant(s) \_\_\_\_\_ and time for completion of joinder: \_\_\_\_\_
13. Types of contemplated dispositive motions: \_\_\_\_\_
14. Dates for filing contemplated dispositive motions: \_\_\_\_\_
15. Have counsel reached any agreements regarding electronic discovery? \_\_\_\_\_
16. Have counsel reached agreements regarding treatment and disclosure of communications between counsel and experts? \_\_\_\_\_

The parties are advised that they may consent to trial, including a jury trial, before a magistrate judge pursuant to 28 U.S.C. § 636(c). If they are prepared to consent to trial before a magistrate judge pursuant to 28 U.S.C. §§636(c), they may do so at the conference or later in the litigation. They should not indicate which party has declined if both parties do not consent.